

# City Council Agenda

Council President  
**Jerry Duncan**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun, Ph.D.**  
**Mike Dages**

City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch, CMC**

**Henry T. Perea – Acting President**  
**Cynthia Sterling**  
**Larry Westerlund**

Interim City Attorney  
**James C. Sanchez**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**April 25, 2006**

If you would like to speak fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

## **8:30 A.M. ROLL CALL**

Invocation by Reverend Dr. Les R. Hyder of the Westminster Presbyterian Church

Pledge of Allegiance to the Flag

### **Ceremonial Presentations:**

Proclamation of "CHILD ABUSE PREVENTION MONTH" – Councilmember Dages

Presentation of a Commendation to Fresno Memorial Auditorium on Their 70<sup>th</sup> Anniversary – Councilmember Sterling

Proclamation of "NATIONAL CRIME VICTIMS' RIGHTS WEEK" – Councilmember Westerlund

Presentation of a Check by the Dept. of Public Utilities to the Community Food Bank For Proceeds From the Third Annual DPU Golf Tournament

Presentation of a Resolution of Commendation Congratulating the General Services Dept. and Department of Transportation/Fresno Area Express For Their 2006 Environmental Award for Outstanding Achievement – Mayor's Office and City Manager's Office

Council action on unscheduled items if any shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council there will first be a staff presentation followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of April 4, 2006

**Action Taken:**

Councilmember Reports and Comments

**Action Taken**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 p.m.

- A. \* Approve the acquisition of a street easement at 1216 W. Clinton Avenue from property owned by William K. Manson, Jr. (***Property located in District 1***) – Public Works Dept.

**Action Taken:**

- B. \* Approve an agreement with Beals Alliance in the amount of \$174,592 for the preparation of plans, specifications and cost estimates for the Maple-Plymouth Park (Todd Beamer Park) (***Property located in District 6***) – Public Works Dept.

**Action Taken:**

- C. **RESOLUTION** – Approving the summary vacation of a portion of Florence Avenue west of Minnewawa Avenue, and a 10-foot wide sewer easement, a 50-foot wide water main, sewer main and access easement and a 16-foot wide water easement located north of Church Avenue and east of Peach Avenue (***Property located in District 5***) – Public Works Dept.

**Action Taken:**

- D. Authorize and direct the Public Works Director or his designee to execute a Quitclaim Deed for a parcel of land located at the northeast corner of Fairview and Florence Avenues (***Property located in District 3***) – Public Works Dept.

**Action Taken:**

- E. Approve the establishment of the City of Fresno Retiree Health Reimbursement Arrangement – Personnel Services Dept

**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- F. \* **RESOLUTION** – Authorizing submittal of a grant application and acceptance of funding under the Federal Land and Water Conservation Fund (LWCF) for the construction of a playground at Al Radka Park, located on Belmont and Sunnyside (*Property located in District 5*) – PR&CS  
**Action Taken:**
- G. \* Award a requirements contract to Kiho USA, Inc. for tapping sleeves & tapping valves – Dept. of Public Utilities  
**Action Taken:**
- H. **RESOLUTION** - Of intention to annex Final Tract No. 5406 as Annexation No. 7 to City of Fresno Community Facilities District No. 11, and setting the public hearing for May 16, 2006, at 10:15 a.m. – Public Works Dept.  
**Action Taken:**
- I. **BILL – (For introduction)** – Amending Section 10-1021 of the Fresno Municipal Code relating to use of streets for habitation prohibited, amending Section 10-310 relating to the removal of vehicles from streets and amending Section 10-1005 relating to use of streets for storage of vehicles prohibited – Public Works Dept.  
**Action Taken:**
- J. \* **BILL NO. B-45 (Intro. 4/18/2006) (For adoption)** – Amending the Fresno Municipal Code relating to taxi cab regulations – City Manager's Office  
**Action Taken:**

2. **CITY COUNCIL**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

9:00 A.M. A. **SCHEDULED COMMUNICATION –**

- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date.

9:15 A.M. **GENERAL ADMINISTRATION**

- A. Report to the City Council on the status of the Creative Economy Council's recommendations – City Manager's Office  
**Action Taken:**
- B. \* Request authorization to execute Amendment No. 1 to the Professional Services Agreement with URS Corporation for services related to the processing of development projects – Planning and Development Dept.  
**Action Taken:**

**SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

- 10:00 A.M.**     **HEARING** to consider Rezone Application No. R-06-08, and environmental findings, filed by AmTech Construction, Inc., pertaining to approximately 1.06 acres of property located at the intersection of the Burlington Northern-Santa Fe railway tracks and N. Fruit Avenue, approximately 450 feet south of W. Ashlan Avenue (***Property located in District 1***) – Planning and Development Dept.  
**Action Taken:**  
a.     Consider and adopt Environmental Assessment No. R-06-08, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**  
b.     **BILL** – Amending the Official Zone Map to rezone the subject property from the R-1 (*Single Family Residential*) zone district to the R-2 (*Low Density Multiple Family Residential*) zone district  
**Action Taken:**
- 10:10 A.M.**     **HEARING** to consider Rezone Application No. R-05-83, and environmental findings, filed by KB Homes, pertaining to approximately 12.8 (net) acres of property located on the north side of E. Church Avenue between S. Peach and S. Minnewawa Avenues (***Property located in District 5***) – Planning and Development Dept.  
**Action Taken:**  
a.     Consider and adopt Environmental Assessment No. R-05-83/T-5498/C-05-217, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**  
b.     **BILL** – Amending the Official Zone Map to rezone the subject property from the R-2/UGM/cz (*Low Density Multiple Family Residential/Urban Growth Management/conditions of zoning*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district  
**Action Taken:**
- 10:15 A.M.**     **HEARING** to consider Rezone Application No. R-05-72, and environmental findings, filed by James Bratton, pertaining to approximately 18.68 (net) acres of property located on the southwest corner of N. Marks and W. Olive Avenues (***Property located in District 3***) – Planning and Development Dept.  
**Action Taken:**  
a.     Consider and adopt Environmental Assessment No. R-05-72/T-5590/C-05-202, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**  
b.     **BILL** – Amending the Official Zone Map to rezone the subject property from the T-P/UGM (*Trailer Park/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district  
**Action Taken:**
- 10:20 A.M.**     **HEARING** to consider Rezone Application No. R-05-45, and environmental findings, filed by Granite Bay, LLC., pertaining to approximately 57.92 acres of property located on the southwest corner of W. Whites Bridge and S. Valentine Avenues. The project also includes the detachment of the subject property from the North Central Fire Protection district and Kings River Conservation District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency (***Property located in District 3***) – Planning and Development Dept.  
a.     Consider and adopt Environmental Assessment No. R-05-45/T-5463/C-05-140, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan  
**Action Taken:**  
b.     **RESOLUTION** - Deny appeal and approve Vesting Tentative tract Map No. 5463/UGM, for the development of a 305-lot single family residential planned development and installation of related facilities and infrastructure  
**Action Taken:**  
c.     **BILL** – Amending the Official Zone Map to rezone the subject property from the AE-20 (*Exclusive Twenty Acre Agricultural, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district  
**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**10:30 A.M.**     **HEARING** to consider Rezone Application No. R-05-100, and environmental findings, filed by Cencal Holdings, LLC, pertaining to approximately 19.3 acres of property located on the east side of S. Brawley Avenue between W. Whites Bridge Road and W. Madison Avenue. The project also includes the detachment of the subject property from the North Central Fire Protection District and Kings River Conservation District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency (***Property located in District 3***) – Planning and Development Dept.

**Action Taken:**

- a.     Consider and adopt Environmental Assessment No. R-05-100/T-5574, Finding of Conformity to MEIR No. 10130 for the 2025 Fresno General Plan

**Action Taken:**

- b.     **BILL** – Amending the Official Zone Map to rezone the subject property from the AE-20 (*Exclusive Twenty Acre Agricultural, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

**Action Taken:**

**11:00 A.M.**     Submission by SMG of the of the annual report of the 2005 Fresno Convention and Entertainment Center – City Manager's Office

**Action Taken:**

**2:00 P.M. #1**     **CONTESTED CONSENT CALENDAR**

**2:00 P.M. #2**     **CLOSED SESSION**

**3:00 P.M.**     **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of April 4, 2006

**Action Taken:**

- A.     **RESOLUTION** - Adopting Environmental Assessment No. 2006-01, Finding of No Possibility of Significant Effect on the Environment, and authorizing the Executive Director to execute the Facilities License Agreement for a 3-foot wide, by approximately 400 feet long, License Area, to Comcast of Fresno, Inc. over property owned by the Redevelopment Agency for underground communications, Broadband and cable television facilities to the Masten Towers

**(Agency action)**

**Action Taken:**

- B.     Approve Purchase and Sale Agreement for property at 145 E. Geary in the Southwest Fresno GNRA Redevelopment Project Area (Hope VI) and authorize the Executive Director to execute the agreement and take all actions necessary to accept conveyance and carry out the agreement (***Property located in District 3***) (***Agency action***) – Public Works Dept.

**Action Taken:**

### **ADJOURN AGENCY**

**3:45 P.M.**     **HEARING** to consider adoption of a resolution designating of the Peach Avenue USDA Horticultural Field Station Historic District located at 2021 S. Peach Avenue to the Local Register of Historic Resources (***Property located in District 5***) - Planning and Development Dept. & PR&CS

**Action Taken:**

- A.     \* **RESOLUTION** - Designating of the Peach Avenue USDA Horticultural Field Station Historic District located at 2021 S. Peach Avenue to the Local Register of Historic Resources as a Historic District

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

### **4:00 P.M. 2005 CYCLE III TRIMESTER PLAN AMENDMENT HEARINGS – Planning and Development Dept.**

The following plan amendment applications have been submitted for consideration during the 2005 Cycle III filing period in accordance with the Trimester Plan Amendment Program of the Planning Guidelines established by the Fresno City Council to implement the City's Local Planning and Procedures Ordinance, Article 6, Chapter 12, of the Fresno Municipal Code. In addition to the plan amendment applications, the projects described below may include rezone applications to change the subject properties' zone district boundaries and associated special permit and Tentative Tract Map applications providing for development of the subject properties

- A.** Consideration of Plan Amendment Application No. A-05-09, Rezone Application No. R-05-69, and environmental findings, filed by Kathryn McCamant on behalf of Alluvial Development, LLC., pertaining to approximately 2.89 net acres (3.05 gross acres) of property located on the north side of E. Alluvial between N. Chestnut and N. Willow Avenues **(Map Location #1) (Property located in District 6)**

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-09/R-05-69

**Action Taken:**

2. **RESOLUTION** – Amending the 2025 Fresno General Plan and Woodward Park Community Plan from the low density residential planned land use designation to the medium density residential land use designation

**Action Taken:**

3. **BILL** – Amending the Official Zone Map to rezone the subject property from the RR (*Rural Residential, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

**Action Taken:**

- B.** Consideration of Plan Amendment Application No. A-05-11, Rezone Application No. R-05-73, and environmental findings, filed by Pauli Engineering on behalf of Carlos D. Lopez, pertaining to approximately 0.98 acre of property located on the north side of W. North Avenue between S. Elm and S. Santa Clara Avenues **(Map Location #2) (Property located in District 3)**

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-11/R-05-73

**Action Taken:**

2. **RESOLUTION** – Amending the 2025 Fresno General Plan, the General Neighborhood Renewal Area (GNRA) Project Redevelopment Plan, and the Edison Community Plan from the medium density residential planned land use designation to the parking commercial land use designation

**Action Taken:**

3. **BILL** – Amending the Official Zone Map to rezone the subject property from the R-1 (*Single Family Residential*) and the R-3 (*Medium Density Multiple Family Residential*) zone districts to the P (*Off-Street Parking*) zone district

**Action Taken:**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

### **4:00 P.M. 2005 CYCLE III TRIMESTER PLAN AMENDMENT HEARINGS (CONTINUED)**

- C. Consideration of Plan Amendment Application No. A-05-12, Rezone Application No. R-05-77, and environmental findings, filed by Dale Mell on behalf of Mike Pistoresi, pertaining to approximately 30 acres of property located on the southwest corner of W. California and S. West Avenues (**Map Location #3**) (**Property located in District 3**)

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-12/R-05-77

**Action Taken:**

2. **RESOLUTION** - Amending the 2025 Fresno General Plan and Edison Community Plan from the office commercial planned land use designation to the medium density residential land use designation for the easterly 10 acres of the 30-acre project site

**Action Taken:**

3. **BILL** - Amending the Fresno-Chandler Downtown Airport Master and Environs Specific Plan from the office commercial planned land use designation to the medium density residential land use designation
4. **BILL** - Amending the Official Zone Map to rezone the subject site from the AL-20 (*Limited Twenty Acre Agricultural, Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

**Action Taken:**

- D. Consideration of Plan Amendment Application No. A-05-13, Rezone Application No. R-05-79, and environmental findings, filed by CEI Engineering Associates on behalf of owners Robert and Ha Do, pertaining to a 6.02-acre southern portion of 8.06 acres of property located on the southwest corner of W. Kearney Boulevard and S. Crystal Avenue (1705 W. Kearney Boulevard) (**Map Location #4**) (**Property located in District 3**)

**(REQUEST MATTER BE REFERRED BACK TO STAFF FOR RESCHEDULING AND RENOTICING)**

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-13/R-05-79
2. **RESOLUTION** - Amending the 2025 Fresno General Plan and Edison Community Plan from the low density residential planned land use designation to the medium-low density residential land use designation
3. **BILL** - Amending the Fresno-Chandler Downtown Airport Master and Environs Specific Plan from the low density residential planned land use designation to the medium-low density residential land use designation
4. **BILL** - Amending the Official Zone Map to rezone the southern 6.02-acre portion of the 8.06-acre subject property from the R-1-A/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

### **4:00 P.M. 2005 CYCLE III TRIMESTER PLAN AMENDMENT HEARINGS (CONTINUED)**

- E. Consideration of Plan Amendment Application No. A-05-14, Rezone Application No. R-05-80, and environmental findings, filed by Sol Development Associates, LLC., on behalf of Ambassador Baptist Church, pertaining to 10.28 acres of property (3 parcels) located on the north side of W. Clinton Avenue between N. Marks and N. Valentine Avenues at 3256, 3318, and 3354 W. Clinton Avenue (**Map Location #5**) (**Property located in District 3**)

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-14/R-05-80

**Action Taken:**

2. **RESOLUTION** - Amending 1.73 acres of the 2025 Fresno General Plan and West Area Community Plan (southern portion of APN 442-070-55) from the medium-low density residential planned land use designation to the medium-high density residential land use designation

**Action Taken:**

3. **BILL** – Amending the Official Zone Map to rezone 1.73 acres from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district and rezone 8.55 acres (the northerly 3.1 acres of APN 442-070-55 and all of APNs 442-070-57 and 442-070-64) from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district

**Action Taken:**

- F. Consideration of Plan Amendment Application No. A-05-15, Rezone Application No. R-05-102, and environmental findings, filed by Alan Harlan, pertaining to approximately 7.99 acres of property located on the northwest corner of E. Dakota and N. Maple Avenues and east of N. Hayston Avenue and State Route 168 (**Map Location #6**) (**Property located in District 4**)

**Action Taken:**

1. Consider and adopt Mitigated Negative Declaration for Environmental Assessment No. A-05-15/R-05-102

**Action Taken:**

2. **RESOLUTION** - Amending the 2025 Fresno General Plan and McLane Community Plan for the approximately 3.0-acre western portion of the subject property from the low density residential planned land use designation to the light industrial land use designation

**Action Taken:**

3. **BILL** – Amending the Fresno-Yosemite International Airport and Environs Plan for the approximately 3.0-acre western portion of the subject property from the low density residential planned land use designation to the light industrial land use designation

**Action Taken:**

4. **BILL** – Amending the Official Zone Map to rezone the entire 7.99-acre subject site from the R-A (*Single Family Residential Agricultural*) zone district to the M-1/cz (*Light Manufacturing/conditions of zoning*) zone district

**Action Taken:**



## SCHEDULED COUNCIL HEARINGS AND MATTERS

<b>May</b>	<b>2 -</b>	<b>10:00 A.M.</b>	<b>HEARING</b> to consider Rezone Application No. R-05-67, filed by subdivider Hansen Edenbridge, Inc., and property owners David P. and Frances Valenzuela and Joseph and Delia Garcia (3201 North Polk Avenue)
<b>May</b>	<b>2 -</b>	<b>10:15 A.M.</b>	<b>HEARING</b> re: Rezone Application No. R-05-62, filed by DeYoung Properties
<b>May</b>	<b>3 -</b>	<b>3:00 P.M.</b>	<b>(Wednesday)</b> Presentation of Employee Service Awards Certificates (Council Chambers) (Reception immediately following – 2 <sup>nd</sup> floor foyer)
<b>May</b>	<b>9 -</b>	<b>2:15 P.M.</b>	<b>WORKSHOP</b> to discuss whether the City Manager and Redevelopment Agency Executive Director should issue a joint Request For Proposal to hire a professional services firm to perform an analysis with recommendations of the Redevelopment Agency and Economic Development Department to include best practices and project-specific evaluations - Councilmember Calhoun and Acting President Perea
<b>May</b>	<b>16 -</b>	<b>10:00 A.M.</b>	Presentation of the Hope IV Villages of California by Debra Moore of the Housing Authority
<b>May</b>	<b>16 -</b>	<b>10:15 A.M.</b>	<b>HEARING</b> re: Community Facilities District No. 11, Annexation No. 7, Tract No. 5406
<b>May</b>	<b>23 -</b>	<b>10:00 A.M. #1</b>	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 117, Tract No. 5229
<b>May</b>	<b>23 -</b>	<b>10:00 A.M. #2</b>	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 118, Tract No. 5326
<b>May</b>	<b>23 -</b>	<b>10:00 A.M. #3</b>	<b>HEARING</b> re: Community Facilities District No. 2, Annexation No. 119, Final Tract Maps No. 5374 and 5313 (District 5)
<b>May</b>	<b>23 -</b>	<b>10:15 A.M.</b>	<b>HEARING</b> To consider the adoption of a resolution vacating a portion of the intersection of W. Bellaire Avenue and N. Milburn Avenue <b>(Located in District No. 1)</b>
<b>May.</b>	<b>30 -</b>	<b>NO MEETING – MEMORIAL DAY</b>	
<b>June</b>	<b>6 -</b>	<b>NO MEETING – ELECTION DAY</b>	
<b>June</b>	<b>13 -</b>	<b>10:00 A.M.</b>	<b>CONTINUED HEARING</b> to consider Rezone Application No. R-05-61, filed by Centex Homes on behalf of Damrong and Somluck Pattanumotana and Ahmed Khaled
<b>July</b>	<b>4 -</b>	<b>NO MEETING – COUNCIL VACATION</b>	
<b>July</b>	<b>11-</b>	<b>NO MEETING – COUNCIL VACATION</b>	

**FY 2006-2007 BUDGET HEARINGS – TO BE ANNOUNCED**

